

### Remarks

Claims 1-43 remain in this application and now stand finally rejected. Applicants request amendment of claims 1-6, 9, 12-14, and 16-43, and consideration of the accompanying remarks that place the above-identified application in better condition for consideration pursuant to 37 C.F.R. 1.116(b). Applicants have added no new matter.

Before proceeding to address the rejections, applicants will briefly summarize their invention, as recited in the amended claims, to assist the examiner in better appreciating the differences between the claimed invention and the art of record. As recited in amended claim 16, applicants have invented a method for interactive training which commences by providing to a user a lesson that offers instructions for the preparation of a sequence of commands to control a plurality of media production devices to produce at least one live or live-to-tape show segment. In other words, the lesson enables a user to prepare a sequence of commands for operating various television studio devices (cameras, switchers, digital vide effects, audio mixers and the like) to produce a television program for live broadcast or recording. In response to the lesson the user generates the sequence of production commands for execution to produce the live or live-to-tape show segment.

### **35 U.S.C. § 102 Rejection of Claims 13-21, 24-26, 28-30, 36-37 and 41**

Claims 13-21, 24-26, 28-30, 36, 37, and 41 stand Finally Rejected as anticipated by U.S. Patent No. 5,875,108, issued February 23, 1999 in the name of Steven M. Hoffberg et al. (herein referred to as "Hoffberg et al."). Applicants respectfully traverse this rejection in view of the amendments to independent claims 13, 16, 21, 28, and 36.

The Hoffberg et al. patent concerns an adaptive interface for a programmable system. A user enters data through the interface and in response to the user data, a processor provides a predictive response that undergoes updating based on subsequent user input. Pattern recognition can also occur to allow a user to program a device based on an inexact match.

In rejecting applicants' claim 13, the examiner contends that Hoffberg et al. teaches (a) preparing a sequence of commands to control a plurality of production devices to produce a show segment, (b) authorizing execution of the sequence, wherein authorization occurs subject to a favorable analysis and (c) evaluating the sequence to allow for refinement.

Applicants have amended claim 13 to include the features:

- (a) distributing ...a lesson to guide the student in preparing a sequence of production commands for controlling the operation of a plurality of media production devices to produce at least one live or live-to-tape show segment;
- (b) receiving ...the sequence of production commands to control a plurality of media production devices to produce the live or live-to-tape show segment responsive to said lesson; and
- (c) authorizing execution of said sequence of said production commands-to produce said live or live-to-tape show segment.

Hoffberg does not teach each and every feature of applicants' claim 13. The portions of the Hoffberg et al. patent cited by the examiner do not show the feature of distributing a lesson that guides in the preparation of a sequence of production commands for a plurality of media production devices to produce a live or live-to-tape show segment. The cited portion at Col. 26, lines 50-60 of Hoffberg et al. concerns pattern recognition and says nothing about creating or distributing a lesson that would guide a user in preparing a sequence of commands for a plurality of media production devices. The cited portion at Col. 31, lines 52-57 of Hoffberg et al. concern programmable VCR interface, not a mechanism for producing commands for a plurality of media production devices to generate a live or live-to-tape show segment. The cited section at Col. 38, lines 12-31 of Hoffberg et al. concerns monitoring a pattern of activity for predicting user preferences, not a technique for preparing a sequence of commands for a plurality of media production devices to produce a live or live-to-tape show segment. Lastly, the cited section at Col. 38, lines 40-65 of Hoffberg et al. concern pattern recognition, not a technique for producing a live or live-to-tape show segment.

In summary, Hoffberg et al. does not teach the feature of "preparing a sequence of production commands for a plurality of media production devices to produce a live or live-to-tape show segment" as recited in claim 13. Accordingly, applicants claim 13 patentably distinguishes over the Hoffberg et al. reference.

Like claim 13, claims 16, 21, 28, and 36 all recite feature of "providing instructions regarding how to prepare a sequence of commands to control a plurality of media production devices to produce a live or live-to-tape show segment." Claim 41 includes the feature of "distributing at least one lesson that includes instructions for preparing a sequence of commands to control a plurality of media production devices to produce a live or live-to-tape show segment." As discussed above, Hoffberg et al. does not disclose or suggest either of these

features. At best, Hoffberg et al. teaches a technique for programming a VCR, and does not disclose or suggest offering any kind of instructions concerning controlling a plurality of media production devices, especially to produce a live or live-to-tape show segment. Therefore claims 16, 21, 28, 36 and 41 all patentably distinguish over the Hoffberg et al. reference.

Claims 14-15, 17-20, 22-27, 29-32, and 37-39, depend from claims 13, 16, 21, 28, and 36, respectively, and incorporate by reference all of the features of their independent parent claims. Therefore, claims 14-15, 17-20, 22-27, 29-32, and 37-39 patentably distinguish over the teachings of Hoffberg for the same reason as their parent claims reasons, in addition to the features recited therein. Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. 102(b) rejection of claims 13-21, 24, 26, 28-30, 36, 37, and 41.

### **35 U.S.C. 103(a) Rejection of Claims 1-5 and 7-12**

Claim 1-5 and 7-12 stand Finally Rejected under 35 U.S.C. 103(a) as being obvious over the Hoffberg in view of Owens. Paper No. 14, page 6. Applicants respectfully traverse these rejections.

Applicants have discussed the Hoffberg et al. patent at length above with respect to the 35 U.S.C. 102(b) rejection of claims 13-21, 24, 26, 28-30, 36, 37, and 41. For the sake of brevity, applicants will not reiterate that discussion here. For the purpose of traversing the instant rejection, applicants reiterate that Hoffberg et al. does not teach or suggest "guiding the student in the preparation of a sequence of production commands for a plurality of media production devices to produce a live or live-to-tape show segment" recited in independent claim 1 and incorporated by reference in claims 2 and 3. Nor does Hoffberg et al. "send a lesson that includes an assignment to produce commands to operate a plurality of media production devices to produce a live or live-to-tape show segment" as recited in claim 4 and included by reference in claims 5-12.

The Owens et al patent concerns a computerized learning system comprised of a central processor and associated memory for receiving input data from an input means and for presenting data to a display means for output. The central processor operates to organize data into contextual relations to aid in learning.

Combining the Owens et al. patent with Hoffberg et al., as proposed by the examiner, would not yield all of the elements of applicants' invention recited in claims 1 and 4, and claims 2-3 and 5-12, respectively, which depend therefrom. Like Hoffberg et al., the Owens et al. patent also fails to teach or disclose the feature of "providing a lesson ...to guide... in the preparation of

a sequence of commands to control a plurality of media production devices to produce at least one live or live-to-tape show segment, as recited in claim 1. Owen also fails to disclose or suggest the step of: "sending a lesson...(which)...includes an assignment to produce commands to operate at least one of a plurality of media production devices to produce a live or live-to-tape show-segment" as recited in claim 4. The Examiner cites the Owens et al. for teaching "a media production means for communicating with production devices." The passage cited by the Examiner in support this statement refers to loading and reading data from a memory, and would not suggest the feature of "producing commands to operate for a plurality of media production devices to produce a live or live-to-tape show segment."

The combination of Hoffberg et al. and Owens do not teach or suggest all of the features recited in applicants' claims 1 and 4 and claims 2-3 and 5-12, respectively, which depend therefrom. Therefore, these claims patentably distinguish over the art of record and applicants request withdrawal of the 35 U.S.C. 103(a) rejection of claims 1-5 and 7-12.

### **35 U.S.C. 103(a) Rejection of Claim 6**

Claim 6 stands Finally Rejected under 35 U.S.C. 103(a) as obvious over the Hoffberg et al. in view of Owens et al, further in view of U.S. Patent 5,577,190, issued to Eric Peters. Applicants respectfully traverse this rejection in view of the amendments to claim 4 from which claim 6 depends,

Applicants have discussed the Hoffberg et al. and Owens et al. patents at length above and will not repeat a discussion here for the sake of brevity. Applicants reiterate that neither Hoffberg et al. nor Owens et al. teach applicants' step of "sending a lesson ...that includes an assignment to produce commands to operate at least one of a plurality of media production devices to produce a live or live-to-tape show segment" as recited in claim 4, and as incorporated by reference in claim 6.

The Peters patent teaches an editing system for source material. The system includes a computer, which operates to compress image information based on the amount of storage capacity so as to yield different data rates. A data buffer serves to buffer data for differences in data rates.

Combining Peters with Hoffberg et al. and Owens et al. would not render obvious applicants' claim 6. Like the Hoffberg et al. and Owens et al. patent, the Peters et al. patent fails to teach applicants' feature of "sending a lesson ...that includes an assignment to produce commands to operate at least one of a plurality of media production devices to produce a live or

live-to-tape show segment.” Rather, as the examiner has acknowledged, Peters is directed to “editing a previously recorded video,” and not to “producing a live or live to tape show segment,” as recited in claim 6.

The Hoffberg et al. Owens et al. and Peters et al., in combination, fail to teach all of the features of applicants’ claim 4, and claim 6 that depends therefrom. Therefore, applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claim 6.

### **35 U.S.C. 103(a) Rejection of Claims 25-27**

Claims 25-27 stand Finally Rejected under 35 U.S.C. 103(a) as obvious over the Hoffberg et al. patent discussed above, in view of U.S. Patent 6,146,148, issued November 14, 2001, in the name of John J. Stuppy, from an application filed March 25, 1999. Applicants respectfully traverse the rejection in view of the amendments to claim 21 from which claims 25-27 depend.

Applicants have discussed the Hoffberg et al. patent previously, and for the sake of brevity will not repeat that discussion here. For purposes of the instant rejection, applicants reiterate that the Hoffberg et al patent does not teach the feature of:

“providing instructions regarding how to prepare a sequence of commands to control a plurality of media production devices, including at least one of a video switcher, digital video effects device, teleprompting system, and studio lighting, to produce at least one live or live-to-tape show segment”

recited in claim 21, and as incorporated by reference in claims 25-27.

The Stuppy patent concerns a computer-based learning system that delivers instructional materials from a central source to a plurality of student terminals. The central processing unit delivers instructional materials correlated with a student profile.

Combining the Hoffberg et al. patent with the Stuppy patent as proposed by the examiner would not yield all of the features of applicants’ claims 25-27. Like Hoffberg et al., Stuppy fails to teach or disclose applicants’ feature of “providing instructions regarding how to prepare a sequence of production commands for a plurality of media production devices to produce a live or live-to-tape show segment” recited in claim 21, and incorporated by reference in claims 25-27. Given that neither the Hoffberg et al. nor Stuppy patents teach all the features of applicants’ claim 21, then the proposed combination would not render obvious applicants’ claims 25-27. Accordingly, applicants respectfully request reconsideration and withdrawal of the examiner’s 35 U.S.C. 103(a) rejection of claims 25-27.

**35 U.S.C. 103(a) Rejection of Claims 31, 32, 40, 42, and 43**

Claims 31, 32, 40, 42, and 43 stand Finally Rejected under 35 U.S.C. 103(a) as obvious over the Hoffberg et al. et al. patent in view of U.S. Patent 6,468,060, issued October 1, 2002 in the name of Scott R. Watterson et al. from an application filed August 18, 2000. Applicants respectfully traverse this rejection.

Applicants have discussed the Hoffberg et al. patent previously, and for the sake of brevity will not repeat that discussion here. For purposes of the instant rejection, applicants reiterate that the Hoffberg et al patent does not teach the features of

distributing a lesson ...providing instructions regarding how to prepare a sequence of commands to control a plurality of media production devices, to produce at least one live or live-to-tape show segment; and

receiving from the user said sequence of production commands to control the plurality of media production devices to produce said live or live-to-tape show segment responsive to said lesson

recited in claim 28 and incorporated by reference in claims 31, and 32.

The Hoffberg et al. patent also does not teach or disclose the feature of “

distributing at least one lessons, that includes instructions for preparing a sequence of commands to control a plurality of media production devices to produce at least one live or live-to-tape show segment”

as recited in claims 40, 42 and 43.

The Watterson et al patent concerns a network of exercise machines enabling users of the machines to interact with a trainer through a real-time communications network. Like Hoffberg et al. the Watterson et al. patent provides no disclosure or suggestion of distributing a lesson teaching a student how to prepare commands to control a plurality of media production devices to produce at least one live or live-to-tape show segment.

The examiner’s proposed combination of Hoffberg et al. and Watterson et al. would not render obvious the applicant’s claims 31, 32, 40, 42, and 43 because neither reference, nor their combination teach all of the features of applicants’ claims, including the distribution of a lesson teaching the preparation of commands to control a plurality of media production devices to produce at least one live or live-to-tape show segment. Accordingly, claims 31, 32, 40, 42, and 43 patentably distinguish over the art of records, and withdrawal of the 35 U.S.C. 103(a) rejection of these claims is requested.

**35 U.S.C. 103(a) Rejection of Claims 22-23 and 38-39**

Claims 22-23 and 38-39 stand Finally Rejected under 35 U.S.C. 103(a) as obvious over Hoffberg et al. in view of U.S. Patent 6,398,556, issued June 4, 2002, in the name of Chi Fai Ho, from an application filed April 13, 1999. Applicants respectfully traverse this rejection in view of the amendments in view of the amendments to claims 21 and 36 from which claims 22-23 and 38-39 depend, respectively.

Applicants have discussed the Hoffberg et al. patent previously, and for the sake of brevity will not repeat that discussion here. For purposes of the instant rejection, applicants reiterate that the Hoffberg et al patent does not teach the feature of "authorizing access to a lesson...providing instructions to a user regarding how to prepare a sequence of production commands to control of media production devices to produce a live or live-to-tape show segment", as recited in claim 21, and as incorporated by reference in claims 22 and 23. Further, the Hoffberg et al. patent does not teach or disclose the feature of "providing access to a lesson...providing instructions regarding who to prepare a sequence of commands to control a plurality of media production devices to thereby produce at least one live or live-to-tape show segment", recited in claim 36 and incorporated by reference in claims 38 and 39.

The Ho et al. patent describes a computer-aided learning technique, which allows different classes of users to access a learning system to gain different types of information. A student can access the system to gain access to a lesson, whereas an institute user can gain access to information about students. Like the Hoffberg et al. patent, the Ho et al. patent provides no disclosure or suggestion concerning the feature of providing access to a lesson providing instructions for preparing a sequence of commands to control a plurality of media production devices to produce at least one live or live-to-tape show segment.

Combining the Hoffberg et al. and Ho et al. patents, as suggested by the examiner would not teach all of the features of applicants claims 26 and 36, and claims 22-23 and 38-39, respectively, which depend therefrom. Accordingly, applicants' claims 22-23 and 38-39 patentably distinguish over the art of record and withdrawal of the 35 U.S.C. 103(a) rejection of these claims is requested.

**35 U.S.C. 103(a) Rejection of Claims 33-35**

Claims 33-35 stand Finally Rejected under 35 U.S.C. 103(a) as obvious over the Hoffberg et al. patent, in view of the Watterson et al. patent, further in view of the Stuppy patent. Applicants respectfully traverse these rejections in view of the amendment to claim 33.

Applicants have discussed the Hoffberg et al., Watterson et al. and Stuppy patents above and will not repeat a discussion here. For purposes of the instant rejection, applicants reiterate that none of the references, either alone, or in combination with any or all of the others, disclose or suggest the feature of:

"accessing a lesson providing instructions regarding how to prepare a sequence of commands to control a plurality of media production devices, including at least one of a video switcher, digital video effects device, teleprompting system, and studio lighting, to produce at least one live or live-to-tape show segment",

as recited in claim 33 and as incorporated by reference in claims 34 and 35. Therefore, the references, in combination do not show all of the features of applicants' claims 33-35, so applicants' claims patentably distinguish over the art. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claims 33-35.

### Conclusion

In view of the foregoing remarks, applicants respectfully solicit reconsideration of the rejection and allowance of the claims. If, however, the Examiner believes that such action cannot be taken, the examiner is invited to contact the applicant's attorney at (609) 734-6820 to arrange for a mutually convenient date and time for a telephonic interview.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

  
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6/25/04  
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